

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT)

SDCL APPENDIX TO CHAPTER 16-16)

RULE 06-71

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A hearing was held on October 3, 2006, at Sioux Falls, South Dakota, relating to the amendment of SDCL Appendix Chapter 16-16, and the Court having considered the proposed amendment, the correspondence and oral presentations relating thereto and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL Appendix Chapter 16-16 be and it is hereby amended to read as follows:

APPENDIX TO CHAPTER 16-16 Regulations of Board of Bar Examiners of the State of South Dakota

3. Bar Examination Subjects

All applicants, except those applying pursuant to SDCL 16-16-7.6 and SDCL 16-16-12.1 are required to take the bar examination which consists of the Multistate Essay Examination (MEE), an essay question on Indian Law, the Multistate Performance Test (MPT), the Multistate Bar Examination (MBE), and the Multistate Professional Responsibility Examination (MPRE).

The MEE is a two and one-half hour examination consisting of five 30-minute essay questions which will test subject areas which are available at the National Conference of Bar Examiners' website at <http://www.ncbex.org/tests.htm>. The MEE will test both general and South Dakota principles of law.

Indian Law includes basic principles of federal Indian law, including but not limited to civil and criminal jurisdiction, the Indian Civil Rights Act, the Indian Child Welfare Act, and the Indian Gaming Regulatory Act. It does not include tribal laws or customary laws. Indian Law is tested by one 30-minute essay question.

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The MPT consists of two ninety-minute questions which test the fundamental skills of problem solving, legal analysis and reasoning, factual analysis, communication, organization and management of a legal task, and recognizing and resolving ethical dilemmas. Each question shall contain all of the resource material necessary to complete the performance examination. The MPT will test both general and South Dakota principles of law.

The MBE is an objective six-hour examination containing 200 multiple-choice test questions covering the subjects:

Constitutional Law
Criminal Law and Procedure
Real Property

Contracts
Evidence
Torts

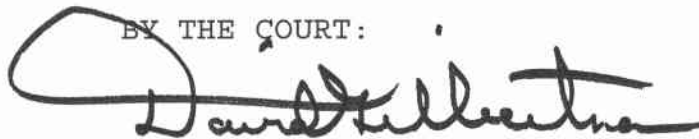
The MPRE consists of 50 multiple-choice test questions and measures an applicant's knowledge of the ethical standards of the legal profession.

On or before January 1, 2009, the Board of Bar Examiners shall file with this Court a report on how this rule may be modified, if in its opinion, it needs modification.

IT IS FURTHER ORDERED that the rule shall become effective January 1, 2007.


DATED at Pierre, South Dakota, this 18th day of October, 2006..

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST:


Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

OCT 18 2006


Clerk